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9 Appointed counsel for **Larry A. McDaniel**

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

13 Case No. 2:17-cr-00110-APG-DJA

14 Plaintiff,

15 v.

16 LARRY ANTHONY MCDANIEL, SYLVIANE
17 DELLA WHITMORE, ET. AL.

18 Defendant.

19 **ORDER GRANTING**

20 **UNOPPOSED JOINT MOTION FROM CODEFENDANTS MCDANEL AND**
21 **WHITMORE TO ALTER THE NO CONTACT SPECIAL CONDITION OF**
22 **SUPERVISED RELEASE SO THAT THE TWO MAY RESIDE TOGETHER AND**
23 **ASSIST EACH OTHER WITH THEIR RESPECTIVE MEDICAL CONDITIONS**

1 In this Motion, codefendant McDaniel and Whitmore seek to alter a special condition
2 of supervised release that is present in both of their written judgments. To wit, Mr. McDaniel
3 seeks to alter Special Condition 4 of the written Judgment in a Criminal Case, filed on March
4 15, 2024, entitled “No Contact.” (*See* ECF No. 452 at 5.) Ms. Whitmore also seeks to modify
5 the “No Contact” Special Condition of Supervision 4 of her written judgment, dated April 1,
6 2024. (*See* ECF No. 480 at 6.)

7 Both parties are requesting that the No Contact condition contain an addition sentence,
8 to be placed after the first sentence, that states that co-defendants Larry A. McDaniel and
9 Sylviane Della Whitmore may associate and reside together due to their long-standing
10 relationship together. They are essentially in a married relationship despite the fact they are not
11 legally married.

12 The bases for this request are as follows. Both McDaniel and Whitmore have been
13 together for approximately fifteen years. Their finances and living situation are inextricably
14 entangled. Both are advanced in age and dependent on each other for medical care. The last
15 point is important as Ms. Whitmore has been receiving intensive cancer treatment and other
16 medical care for some time. This care will need to be continued upon her release. Mr.
17 McDaniel is the sole caregiver for Ms. Whitmore. Hence, if the two are not allowed to associate
18 and reside with each other, Mr. McDaniel, who suffers from an autism spectrum disorder, will
19 be homeless while Ms. Whitmore will not have any support with her medical needs from Mr.
20 McDaniel.

21 Contact with both McDaniel and Whitmore reveal that the Bureau of Prisons (BOP) is
22 having difficulties in fashioning release plans for either because of the uncertainty of their living
23 situations. Because of her medical condition, BOP is considering releasing Ms. Whitmore
24 directly to home confinement relatively soon, however, she was told that she could not reside
25 with Mr. McDaniel, even though it is her house. Mr. McDaniel is scheduled to be released to
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1 a Las Vegas half-way house sometime in April. Both plans are on hold though due to
 2 uncertainty regarding whether Ms. Whitmore will have a caregiver if released and whether Mr.
 3 McDaniel has a home to which to return.

4 Neither party requests any other changes in the conditions of supervision. The sole
 5 purpose of this Motion is to bring clarity to McDaniel and Whitmore's BOP release plans since
 6 neither is yet under supervised release thereby preventing them from asking a supervising
 7 probation officer for permission to associate and live together.

8 On March 11, 2025, counsel for McDaniel contacted the AUSAs who handled trial level
 9 proceedings. The government does not object to this Court granting this request to allow Mr.
 10 McDaniel and Ms. Whitmore to live together and take care of each other upon their release
 11 from prison as they have been doing for the past fifteen years.

12 For these reasons, Mr. McDaniel and Ms. Whitmore respectfully request that this Court
 13 alter the No Contact condition of their supervised release supervision to allow them to associate
 14 and live together that they may continue their long-standing romantic relationship and thereby
 15 provide support to each other with their respective medical conditions.

16 DATED this 13th Day of March, 2025.

17
 18 HOFLAND AND TOMSHECK

MCLETCHIE LAW

19
 20 */s/ Jason F. Carr*
 By: _____
 21 JASON F. CARR, ESQ.
 CJA Counsel for McDaniel

/s/ Lisa A. Rasmussen
 By: _____
 22 LISA A. RASMUSSEN
 CJA Counsel for Whitmore

23
 24 IT IS SO ORDERED:

25 Dated: March 12, 2025


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 ANDREW P. GORDON
 CHIEF UNITED STATES DISTRICT JUDGE